

Message Text

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PAGE 01 BRUSSE 17089 081416Z
ACTION L-03

INFO OCT-01 EUR-12 ISO-00 CA-01 JUSE-00 SNM-05 /022 W
-----014716 081424Z /43

P 081410Z SEP 78
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC PRIORITY 8637
INFO AMEMBASSY PARIS
DEA WASHDC

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DEA HQS FOR ENOM/CLOUD

PARIS FOR DEA

E.O. 11652: N/A
TAGS: PFOR, CPRS, SNAR, BE
SUBJECT: EXTRADITION: OMER LUFTU TOPAL
REF: A) BRUSSELS 11897; B) BRUSSELS 11831; C) STATE 149883,

1. MINISTRY OF FOREIGN AFFAIRS REPLIED VIA DIPLOMATIC NOTE TO EMBASSY'S NOTE OF JUNE 15 (REF A) REQUESTING SUBJECT'S PROVISIONAL ARREST FOR EXTRADITION.
2. TEXT OF NOTE (EMBASSY'S INFORMAL TRANSLATION) IS AS FOLLOWS:
BEGIN TEXT: REFERRING TO US EMBASSY BRUSSELS' NOTE NUMBER 40 OF JUNE 15, THE MINISTRY OF FOREIGN AFFAIRS FOREIGN COMMERCE AND DEVELOPMENT COOPERATION HAS THE HONOR TO INFORM THE EMBASSY THAT OMER TOPAL IS CURRENTLY DETAINED IN BELGIUM BY DECISION OF THE ANTWERP PROSECUTING JUDGE. HE IS SUSPECTED OF ILLICIT TRAFFICKING OF HEROIN.

AS LONG AS THERE EXISTS A BELGIAN DETENTION ORDER, THE KING'S PROSECUTOR BELIEVES IT PREFERABLE NOT TO ISSUE AN ARREST ORDER FOR EXTRADITION, IN ORDER TO AVOID THAT THE
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PAGE 02 BRUSSE 17089 081416Z

TIME LIMIT FOR PROVISIONAL ARREST EXPIRES BEFORE THE DOCUMENTS SUPPORTING THE EXTRADITION REQUEST ARRIVE AT THE PROSECUTOR'S OFFICE.
THE MINISTRY WOULD BE GRATEFUL IF THE EMBASSY WOULD ENSURE THAT THE OFFICIAL REQUEST FOR EXTRADITION, ACCOMPANIED BY THE NECESSARY PAPERS, IS PRESENTED AS SOON AS POSSIBLE. (COMPLIMENTARY CLOSING) END TEXT.

3. ARRESTED IN THE ACT OF DELIVERING 6.8 KILOS OF HEROIN (REF B), TOPAL FACES FIVE YEARS IMPRISONMENT. MFA PROPOSAL TO WAIT UNTIL EXTRADITION DOCUMENTS ARE IN HAND BEFORE REQUESTING PROVISIONAL ARREST FOR EXTRADITION APPEARS TO MAKE GOOD SENSE, SINCE SECTION VII OF 1901 EXTRADITION TREATY REQUIRES THAT EVIDENCE SUPPORTING EXTRADITION MUST BE SUBMITTED WITHIN FORTY DAYS AFTER PROVISIONAL ARREST IS FORMALLY REQUESTED.
4. DEA REP INFORMED BY R. VAN CAMP, CHIEF OF STAFF, MINISTRY OF JUSTICE ON SEPTEMBER 8, 1978 THAT "NORMALLY", IF CONVICTED ON BELGIAN DRUG CHARGE, USG'S EXTRADITION REQUEST WOULD NOT BE HONORED UNTIL TOPAL HAS SERVED HIS SENTENCE HERE.
5. UNLESS OTHERWISE INSTRUCTED WE INTEND TO IMPRESS UPON MINISTRY THAT WE DO NOT EXPECT NOR DO WE WANT TOPAL'S EXTRADITION TO BE CONSIDERED UNTIL AFTER HE HAS SERVED HIS SENTENCE IN BELGIUM. IF SENTENCED TO FIVE YEARS HERE, TOPAL WILL PROBABLY ONLY SERVE A MAXIMUM OF TWO.
6. DOJ AND STATE ARE REQUESTED TO FORWARD TOPAL'S EXTRADITION PAPERS AS PER DIPLOMATIC NOTE TEXT PARA 2. DECONTROL UPON RECEIPT BY DEA ONLY. CHAMBERS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION
Control Number: n/a
Copy: SINGLE
Draft Date: 08 sep 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978BRUSSE17089
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780366-0681
Format: TEL
From: BRUSSELS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780985/aaaacsaf.tel
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Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 847e7053-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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